

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below)  
or an original, first and joint inventor (if plural names are listed below)  
of the subject matter which is claimed and for which a patent is sought on the invention  
entitled:

**TWO-PHOTON UPCONVERTING DYES AND APPLICATIONS**

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as United States application Serial No. 08/712,143  
on September 5, 1996 and was amended under PCT Article 19 on \_\_\_\_\_  
(if applicable).

☐ was filed as PCT international application Number \_\_\_\_\_  
on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified  
specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of  
this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any  
foreign application(s) for patent or inventor's certificate or of any PCT international  
application(s) designating at least one country other than the United States listed below  
and have also identified below any foreign application(s) for patent or inventor's  
certificate or any PCT international application(s) designating at least one country other  
than the United States of America filed by me on the same subject matter having a filing  
date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (If PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
US	60/003,296	06 SEPT 1995	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
US	60/005,924	27 OCT 1995	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
US	60/010,330	15 DEC 1995	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
US	To be assigned	27 AUG 1996	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States  
application(s) or PCT international application(s) designating the United States of  
America that is/are listed below and, insofar as the subject matter of each of the claims  
of this application is not disclosed in that/those prior application(s) in the manner  
provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the  
duty to disclose material information as defined in Title 37, Code of Federal Regulations,  
§ 1.56(a) which occurred between the filing date of the prior application(s) and the  
national or PCT International filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT  
UNDER 35 U.S.C. 120:**

U.S. APPLICATIONS		STATUS (Check One)			
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)			

19226/830

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Peter Rogalskyj, Reg. No. 38,601; Michael L. Goldman, Reg. No. 30,727.

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(716) 263-1634

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202	FULL NAME OF INVENTOR	FAMILY NAME Bhawalkar	FIRST GIVEN NAME Jayant	SECOND GIVEN NAME D.
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203	FULL NAME OF INVENTOR	FAMILY NAME He	FIRST GIVEN NAME Guang	SECOND GIVEN NAME S.
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205	FULL NAME OF INVENTOR	FAMILY NAME Gvishi	FIRST GIVEN NAME Raz	SECOND GIVEN NAME
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206	FULL NAME OF INVENTOR	FAMILY NAME Ruland	FIRST GIVEN NAME Gary	SECOND GIVEN NAME E.
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207	FULL NAME OF INVENTOR	FAMILY NAME Zieba	FIRST GIVEN NAME Jaroslaw	SECOND GIVEN NAME
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208	FULL NAME OF INVENTOR	FAMILY NAME Cheng	FIRST GIVEN NAME Ping	SECOND GIVEN NAME Chin
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COMBINED DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY (Continued)

ATTORNEY'S DOCKET NUMBER

19226/830

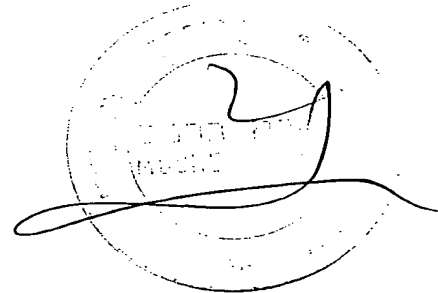
2 0 9	FULL NAME OF INVENTOR	FAMILY NAME Pan	FIRST GIVEN NAME Shan	SECOND GIVEN NAME Jen
	RESIDENCE & CITIZENSHIP	CITY Amherst	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP China
	POST OFFICE ADDRESS	P.O. ADDRESS 261 Travers Circle, #D	CITY Amherst	STATE/ZIP CODE/COUNTRY New York/14228/U.S.A.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 <i>Pan Shan</i>	SIGNATURE OF INVENTOR 202 <i>[Signature]</i>	SIGNATURE OF INVENTOR 203 <i>Greg S. H.</i>
DATE <i>Dec 16/96</i>	DATE <i>Dec. 10/12/96</i>	DATE <i>11/12/96</i>
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205 <i>Ray F. H.</i>	SIGNATURE OF INVENTOR 206 <i>[Signature]</i>
DATE	DATE <i>30/10/1996</i>	DATE <i>12/10/96</i>
SIGNATURE OF INVENTOR 207	SIGNATURE OF INVENTOR 208 <i>[Signature]</i>	SIGNATURE OF INVENTOR 209 <i>[Signature]</i>
DATE	DATE <i>10/Dec. 1996</i>	DATE <i>10/Dec. 1996</i>

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COMBINED DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY (Continued)

ATTORNEY'S DOCKET NUMBER

19226/830

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0  
9

FULL NAME OF  
INVENTOR

FAMILY NAME  
Pan

FIRST GIVEN NAME  
Shan

SECOND GIVEN NAME  
Jen

RESIDENCE &  
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China

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261 Travers Circle, #D

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Amherst

STATE/ZIP CODE/COUNTRY  
New York/14228/U.S.A.

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SIGNATURE OF INVENTOR 201

*Pan Shan Jen*

DATE

*Dec 16/1996*

SIGNATURE OF INVENTOR 202

*Ray F. Hsu*

DATE

*Dec. 10/12/96*

SIGNATURE OF INVENTOR 203

*Greg S. He*

DATE

*Dec 10/12/96*

SIGNATURE OF INVENTOR 204

*Changfeng Zhao*

DATE

*11/27/96*

SIGNATURE OF INVENTOR 205

*Ray F. Hsu*

DATE

*12/30/1996*

SIGNATURE OF INVENTOR 206

*Ray F. Hsu*

DATE

*12/10/96*

SIGNATURE OF INVENTOR 207

*Ray F. Hsu*

DATE

*10 Dec. 1996*

SIGNATURE OF INVENTOR 208

*Ray F. Hsu*

DATE

*10 Dec. 1996*

SIGNATURE OF INVENTOR 209

*Ray F. Hsu*

DATE

*10/Dec/96*

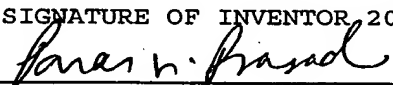
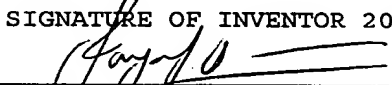
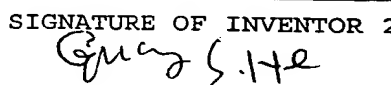
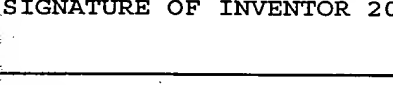
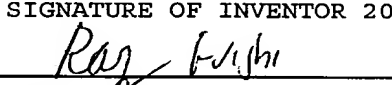
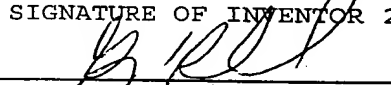
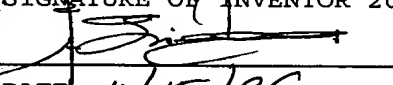
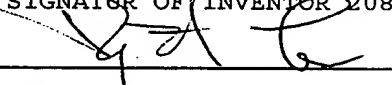
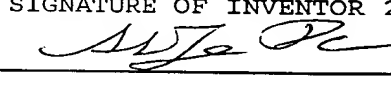
COMBINED DECLARATION FOR PATENT APPLICATION  
AND POWER OF ATTORNEY (Continued)

ATTORNEY'S DOCKET NUMBER

19226/830

2 0 9	FULL NAME OF INVENTOR	FAMILY NAME Pan	FIRST GIVEN NAME Shan	SECOND GIVEN NAME Jen
	RESIDENCE & CITIZENSHIP	CITY Amherst	STATE/FOREIGN COUNTRY New York	COUNTRY OF CITIZENSHIP China
	POST OFFICE ADDRESS	P.O. ADDRESS 261 Travers Circle, #D	CITY Amherst	STATE/ZIP CODE/COUNTRY New York/14228/U.S.A.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 	SIGNATURE OF INVENTOR 202 	SIGNATURE OF INVENTOR 203 
DATE Dec 16 1996	DATE 10/12/96 <sup>Dec</sup>	DATE 10/12/96 <sup>Dec</sup>
SIGNATURE OF INVENTOR 204 	SIGNATURE OF INVENTOR 205 	SIGNATURE OF INVENTOR 206 
DATE 11/15/96	DATE 30/10/1996	DATE 12/10/96
SIGNATURE OF INVENTOR 207 	SIGNATURE OF INVENTOR 208 	SIGNATURE OF INVENTOR 209 
DATE 11/15/96	DATE 10 Dec 1996	DATE 10/Dec/96

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Applicant or Patentee: Prasad et al.  
Attorney's Docket No.: 19226/830 (R-5285, R-5321, R-5323, R-5356)  
Serial or Patent No.: 08/712,143  
Filed or Issued: September 5, 1996  
For: Two-Photon Upconverting Dyes and Applications

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF CONCERN The Research Foundation of State University of  
New York  
ADDRESS OF CONCERN Suite 200, UB Commons  
Amherst, New York 14228-2567  
TYPE OF ORGANIZATION University

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATION UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled Two-Photon Upconverting Dyes and Applications by inventor(s) Paras N. Prasad, Jayant D. Bhawalkar, Guang S. He, Chan F. Zhao, Raz Gvishi, Gary E. Ruland, Jaroslaw Zieba, Ping Chin Cheng, and Shan Jen Pan described in

- ☐ the specification filed herewith  
☒ application serial no. 08/712,143, filed September 5, 1996  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Daniel E. Massing  
TITLE OF PERSON OTHER THAN OWNER Director, Technology Transfer Services  
ADDRESS OF PERSON SIGNING The Research Foundation of State University  
of New York  
Suite 200, UB Commons  
Amherst, New York 14228-2567

SIGNATURE Daniel E. Massing DATE 10/4/96